

REMARKS/ARGUMENTS

Claims 2-23 remain pending in this application. Claims 2 and 17 have been amended. Claims 2-16, 23 stand allowed.

Replacement Fig. 6 is submitted herewith. Replacement Fig. 6 is simply a more formal drawing of the Fig. 6 previously submitted. Thus, no new matter is added by the replacement Fig. 6. Claim 2 has been amended to correct a typographical error in the amendment filed February 7, 2003.

The Examiner rejected Claim 17 under 35 U.S.C. Section 103(a) as being obvious over Thornton in view of Goldstein. Claim 17 has been amended to recite that at least a portion of a mouthpiece be inserted into the user's mouth and that the portion inserted be configured to prevent air from leaking out of the user's mouth. Use of such a mouthpiece in the claimed method is neither taught nor suggested by Thornton or Thornton in combination with Goldstein, and there would be no motivation to modify Thornton or Goldstein in such a manner. As a result, amended Claim 17 is patentable over Thornton in view of Goldstein.

Claims 18-22 which depend from independent Claim 17 were objected to as being depended upon a rejected base claim. Insofar as amended Claim 17 is patentable over Thornton and Goldstein, Claims 18-22, which contain all the limitations of independent Claim 17, are also patentable. Applicant respectfully requests removal of the objection to such claims.

In view of the foregoing amendments and remarks, it is respectfully submitted that the claims are now in condition for allowance and eventual issuance. Such action is respectfully requested. Should the Examiner have any further questions or comments which need be addressed in order to obtain allowance, he is invited to contact the undersigned attorney at the number listed below.

Acknowledgement of receipt is respectfully requested.

Respectfully submitted,

By: 

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